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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,879	09/19/2003	Sujoy Basu	200310470-1	6772
22879	7590	11/14/2007	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			LEMMA, SAMSON B	
ART UNIT		PAPER NUMBER		
2132				
MAIL DATE		DELIVERY MODE		
11/14/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/665,879	BASU ET AL.
	Examiner Samson B. Lemma	Art Unit 2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 01 November 2007.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-29 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-29 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date \_\_\_\_\_  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The request filed on November 01, 2007 for a request for continued examination (RCE) under 37 CFR 1.114 based on patent application 10/665,879 is acceptable and an RCE has been established. All independent claims namely claims **1, 11 and 21** are amended. **Claims 1-21** are pending/examined.

### **Response to Arguments**

2. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

### **Claim Rejections- 35 USC § 112**

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Independent Claims **1, 11 and 21** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Based on a thorough review of the entire disclosure and a text search for the **following negative limitation** added to the respective independent claims "**without requiring user input**", there is no "readily apparent support" as to where in the specification such limitation is recited.

**Regarding the present amendment made to the independent claims 1, 11 and 21 where each independent claim is amended to include the following**

negative limitation "without requiring user input", examiner cites the **proper MPEP 2173.05 (i)** in support of the 112 rejection set forth in this office action.

"Any negative limitation or exclusionary proviso must have basis in the original disclosure. If alternative elements are positively recited in the specification, they may be explicitly excluded in the claims. See *In re Johnson*, 558 F.2d 1008, 1019, 194 USPQ 187, 196 (CCPA 1977) (" [the] specification, having described the whole, necessarily described the part remaining."). See also *Ex parte GrasseUi*, 231 USPQ 393 (Bd. App. 1983), aff "d mem., 738 F.2d 453 (Fed. Cir. 1984). The mere absence of a positive recitation is not basis for an exclusion. Any claim containing a negative limitation which does not have basis in the original disclosure should be rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement."

The amended phrase clearly recites a negative limitation. Indeed, the specification/disclosure must contain a full, clear and concise description of the claimed subject matter. The specification does not literally or implicitly exclude "user input" to automatically customize user account dynamically.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bertram et al (hereinafter referred as **Bertram**)(U.S. Patent No. 6, 418,466) (Published on 07/09/2002) in view of Liu et al (Hereinafter referred as **Liu**) (U.S. Publication No, 2002/0120499) (Filed on Feb. 28, 2001).

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. Applicant should consider the entire prior art as applicable as to the limitations of the claims. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner

7. **As per independent claims 1, 11 and 21** Bertram discloses a method for controlling remote desktop access provided by an interactive grid computing system comprising:

- **Determining user policies** (see on column 11, lines 52-column 12, lines 26, "the different settings for the policy") **based on a classification of a user** (user allows access to local resources based on group membership or also see "roaming user group on the Windows NT); [column 11, lines 52-column 12, line 26 and see figure 8, ref. Num "86"]

and

- **providing a dynamic user account to said user, [Column 11, lines 42-51 and column 12, lines 18-26]** (The present invention thus implements "dynamic" local accounts on the client machine. **A dynamic local account is a user account that is created** on the local Windows NT workstation when a user logs on to a location other than a Windows NT. As discussed above, a local account is created after the user is successfully authenticated on the remote logon

*server. The account gives the user valid security credentials on the local workstation. And on column 12, lines 18-26, the following has also been disclosed. "This is determined by checking to see if the user is part of the Roaming Users group on the Windows NT client. This was set as part of the **dynamic creation of the user account.**" And on column 15, lines 48-52, the following has been disclosed, "The domain drivers are the modules that provide a set of common functions used by authentication, discovery, user profile storage and retrieval, logoff, **dynamic user account creation**, and **dynamic user account management.**")*

- **wherein said dynamic user account is customized based on said user policies to limit access to resources on a remote desktop.** (See figure 14, "customize the list of other domains..." and column 8, lines 54-61 and column 9, lines 17-26 and claim 8, see, *Applying a set of one or more policies to customize the list prior to presenting the list to a user seeking authentication. And on column 11, lines 42-51, the following has been disclosed. "A **dynamic local account** is a user account that is created on the local Windows NT workstation when a user logs on to a location other than a Windows NT. As discussed above, a local account is created after the user is successfully authenticated **on the remote logon server.**")*

**Bertram** does not explicitly disclose,

automatically customizing user account dynamically without requiring user input.

However, in the same field of endeavor **Liu**, on paragraph 0010 discloses, a system for merchants to **dynamically update their membership offerings**

**available to consumers**, includes means for selecting from information displayed on a display, means for contacting entities selected by the user to set up the user's membership account, **means for customizing a token with chosen membership privileges, and means for issuing the token to the user which meets the limitation of** "automatically customizing user account dynamically without requiring user input."

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to combine the feature such as automatically customizing user account dynamically as per teachings **Liu** into the method taught by **Bertram** in order to provide a customized membership token and consequently creates a customized account dynamically to the user to ultimately provide a method and structure for membership vending. [See Liu paragraph 0005]

8. **As per dependent claims 2-10 and 12-20 and 22-29 the combination of Bertram and Liu discloses a method as applied to claims above. Furthermore, Bertram discloses the method further comprising editing a desktop configuration file based on said dynamic user account to limit access only to user authorized icons on said remote desktop and displaying authorized icons on said remote desktop. [See Bertram, on figures 3, 13-14 and Column 11, lines 42-51 and column 12, lines 18-26, and all the rest of the claims recited about "remote desktop" are inherent features of Windows XP, see Remote Desktop, from Geek.com]**

### **Conclusion**

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.(See PTO-Form 892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-873-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**SAMSON LEMMA**

S.L.  
11/08/2007

  
GILBERTO BARRON JR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100